IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)
THURSDAY, THE SIXTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR
PRESENT
THE HON'BLE MR JUSTICE B.PRAKASH RAO
WRIT PETITION NO : 21134 of 1994

Between:
1. Vadlapati Job, S/o. V.John, 75 years,
   R/o. 23-2-23, Rajahmundry.
2. M.B.Tejuddin, S/o. Mazahar, 37 years,
   23-10-22, Rajahmundry.
3. P.V.S.Prasad, S/o. Venkata Subba Rao 48 years,
   H.No.23-7-24, Rajahmundry.
4. Ethikoti Rajkumar, S/o. Soloman, 40 years,
   23-7-28, Rajahmundry.
5. Janga Krishna Rao, S/o. Venkataratnam, 60 years,
   H.No.23-10-7, Rajahmundry.
6. Attili Lakshmana Rao, S/o. Atchuta Ramayya, 66 years,
   H.No.23-7-21, Rajahmundry.
7. Shaik Aparanji Kumar, W/o. Vijayakumar, 40 years,
   H.No.23-7-26, Rajahmundry.
8. Palaparti Venkata Ramanujayya, S/o. Nambarmallu,63 years,
   H.No.23-7-14, Rajahmundry.
9. Vissaparagada Venkata Subba Rao, S/o. Suryanarayana Murthy,
   49 years, H.No. 23-7-20, Rajahmundry.
10. Karamati Elizibeeth, 60 years,
    H.No. 23-7-12, Rajahmundry.
11. Ganti Venugopala Krishna Murthy, S/o. Subrahmanyam,
    51 years, H.No. 23-4-32, Rajahmundry.
12. Afsana Begum, W/o. Mazeeb, 37 years,
    H.No.23-4-12, Rajahmundry.
13. Gollamandala Nageswara Rao, S/o. Venkayya, 65 years,
    H.No.23-2-15, Rajahmundry.
14. Maddipoti Suryachandra Rao, S/o. Krishna Rao, 51 years,
    H.No.23-8-7, Rajahmundry.
15. Nelli Mahalakshmi, S/o. Venkanna, 59 years,
    H.No.23-4-28, Rajahmundry.
16. Gaddam Venkata Ratnam, S/o. Chandrayya, 59 years,
    H.No.23-8-5, Rajahmundry.
17. Jalli Janaki, S/o. Late Venkata Rao, 46 years,
    H.No.23-2-8, Rajahmundry.
18. Yernapu Kameswari, W/o. Kondayya, 40 years,
    H.No.23-7-17, Rajahmundry.

19.Chinta Satyanarayana, W/o. Venkanna, 40 years,
H.No.23-10-41, Rajahmundry.
20.Gaddam Varalakshmi, S/o. Sri Rama Murthy, 40 years,
H.No.23-8-13, Rajahmundry.
21.Nainala Rajeswari, W/o. Naga Prasad, 32 years,
H.No.23-8-12, Rajahmundry.
22.M.A.Kareem, S/o. M.A.Khanbuhaddir, 65 years,
H.No.23-9-22, Rajahmundry.
23.Vasa Veerabhadra Rao, S/o. Mallikarjunudu, 52 years,
H.No.23-7-22, Rajahmundry.
24.Yella Rama Rao, 65 years,
H.No.23-1-16, Rajahmundry.
25.Malladi Rama Seshadri, S/o. Venkata Rao, 56 years,
H.No.23-4-16, Rajahmundry.
26.Maddi Sekerana Goparaju, S/o. Appalayya, 46 years,
H.No.23-7-23, Rajahmundry.
27.Esukapalli Suryaranga Rao, S/o. Veeranna, 345 years,
H.No.23-10-28, Rajahmundry.
28.Chandramouli Kameswara Rao, S/o. Purushotham, 60 years,
H.No.23-10-29, Rajahmundry.
29.Pitta Ganga Suvarnaratnam, S/o.Krupanandam, 55 years,
H.No.23-4-3, Rajahmundry.
30.R.Visweswara Sarma, S/o. Veera Subramanyam, 52 years,
Rajahmundry.
31.D.KRishna Murthy, S/o. Tatabbayi, 70 years,
H.No.23-10-34, Rajahmundry.
32.G.Sampada Lakshmi, W/o. Satyanarayana, 46 years,
H.No.23-9-8, Rajahmundry.

..... PETITIONERS

AND

1.Sub-Registrar of Assurances, Rajahmundry,
East Godavari District.
2.Municipality of Rajahmundry, Rep. Commissioner,
Rajahmundry, East Godavari District.
3.State of A.P., Rep. Principal Secretary,
Revenue, Secretariat, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ of Mandamus or any other appropriate writ, order or direction, declaring Section 47-A of Stamp Act and amendments made by A..P.Acts 22/71 and 17/86 levying duty on market value or property as void and ultra vires and also the action of the 1st respondent

in insisting on the petitioners and the Respondent No.2 Municipality to adopt the market value fixed by them at the present rate in respect of the houses allotted and delivered to the petitioners or their predecessors in title under LIGH scheme in 1967 for the purpose of stamp duty and registration fee as illegal, unjust, arbitrary and without jurisdiction and further direct the 1st respondent to admit and register the sale deeds executed by the Respondent No.2 Municipality in favour of the petitioners on the basis of the actual consideration paid and as shown in the instrument.

Counsel for the Petitioners: MR.M.V.DURGA PRASAD (not present)

Counsel for the Respondents 1 & 3: GP FOR REVENUE

Counsel for the respondent No.2: Standing counsel for Municipalities
The Court made the following :

O R D E R:

When the matter was called on 12.08.2004, none appeared for the petitioners. Hence, the matter was posted to 02.09.2004. On that day also the matter was adjourned at request. Even today also when the matter is called, none appeared for the petitioners and there is no representation on behalf of the petitioners.

Therefore, the writ petition is dismissed for non-prosecution.

No costs.

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B.PRAKASH RAO,J.

Date: 16th September 2004.
BSB

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1.The Sub-Registrar of Assurances, Rajahmundry,
East Godavari District.

2. The Commissioner, Municipality of Rajahmundry,
East Godavari District.

3. The Principal Secretary, Revenue,State of A.P.,
Secretariat, Hyderabad.

4. Two CCs to the Government Pleader for Revenue, High Court Buildings,
Hyderabad (OUT).

5. Two CD copies.